

DOCKET NO. TJU-2415



PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Scott A. Waldman, et al.

Serial No.: 09/819,248

Group Art Unit: 1645

Filing Date: March 27, 2001

Examiner: Not Yet Assigned

For: **USE OF EXPRESSION PROFILING FOR IDENTIFYING MOLECULAR  
MARKERS USEFUL FOR DIAGNOSIS OF METASTATIC CANCER**

DATE OF DEPOSIT: Sept 25, 2001  
I HEREBY CERTIFY THAT THIS PAPER IS BEING  
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Ellen M. Klann  
TYPED NAME: Ellen M. Klann  
REGISTRATION NO.: 44,836

Assistant Commissioner for Patents  
Washington DC 20231

Dear Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

- ☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first office action after the filing of request for continued examination under §1.114, no additional fee is required.

- ☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐the first or ☐second After Final Submission, therefore:
- ☐ Certification in Accordance with §1.97(e) is attached; or
- ☐ The fee of \$180.00 as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or before an action that otherwise closes prosecution in the application, therefore:
- ☐ Certification in Accordance with §1.97(e) is attached; or
- ☐ The fee of \$180.00 as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); and the submission fee of \$180.00 as set forth in §1.17(p).
- ☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:
- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

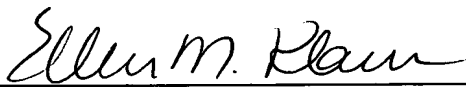
- ☐ In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:
- ☐ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. , filed .
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.  
This form is submitted in duplicate.

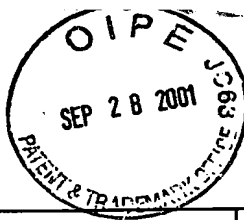
Enclosed is a copy of the PCT International Search Report dated August 29, 2001, which indicates the references to be relevant.

There are no listed references which are not in the English language.

Date: *Sept 25, 2001*

  
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**Ellen M. Klann**  
Registration No. 44,836

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<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office	Docket No. <b>TJU-2415</b>	Serial No. <b>09/819,248</b>
	Applicant <b>Scott A. Waldman, et al.</b>	
	Filing Date <b>March 27, 2001</b>	Group <b>1645</b>

**U. S. PATENT DOCUMENTS**

Examiner Initial		Document No.	Date	Name	Class	Subclass

**FOREIGN PATENT DOCUMENTS**

Examiner Initial		Document No.	Date	Country	Translation YES NO	
	AC	WO 00/20640	04/13/00	PCT		

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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## Form PTO-1449 Modified

Docket No.  
TJU-2415Serial No.  
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(Use several sheets if necessary)Applicant  
Scott A. Waldman, et al.U.S. Department of Commerce  
Patent and Trademark OfficeFiling Date  
March 27, 2001Group  
1645

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AA

Mallo, G.V., et al., "Molecular cloning, sequencing and expression of the mRNA encoding human Cdx1 and Cdx2 homeobox. Down-regulation of Cdx1 and Cdx2 mRNA expression during colorectal carcinogenesis," *Int. J. Cancer (Pred. Oncol)*, 1997, 74, 35-44

AB

Wu, G.D., et al., "Sucrase-isomaltase gene expression in barrett's esophagus and adenocarcinoma," *Gastroenterology*, 1993, 105, 837-844

EXAMINER

DATE CONSIDERED